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11 *Company, as successor to Insurance Company of*
 North America and Pacific Employers Insurance
 Company

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

In re:
16
17 THE ROMAN CATHOLIC BISHOP OF
18 OAKLAND,
19 Debtor.
20
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22
**PACIFIC'S LIMITED OBJECTION TO
PROPOSED COMMITTEE LETTER
TO HOLDERS OF SEXUAL ABUSE
CLAIMS**
23
24 [No Hearing Requested]
25
26 ECF No. 264

Pacific Employers Insurance Company (“Pacific”) makes this submission to address the contents of the proposed *Letter from the Committee to holders of Sexual Abuse Claims* (ECF No. 264 Ex. 5) (the “Committee Letter”).

27 1. While the Committee represented that the letter would strongly encourage the
28 completion of the questionnaire, as presently worded, it is likely to have the opposite result given

1 how it emphasizes the optional nature of the questionnaire. This issue can be addressed through a
2 modest tweak to the text reflected in the attached blackline.

3 2. It is unnecessary and misleading to provide assurance that the allegations of
4 claimants may not be subject to verification through discovery. *See In re Boy Scouts of America*,
5 Case No. 20-10343-LSS (D. Del. Sept. 16, 2020), ECF No. 1331 at 7 (finding that “statements
6 suggesting that Sexual Abuse Survivors will never have to be deposed, appear in court or
7 otherwise prove their claims” made and communications concerning a bar date order are “false
8 and misleading”) (attached as Exhibit C hereto). This sentence should be deleted.

9 3. It is misleading for the Committee to state that only the Debtor will review the
10 questionnaires when they will also be available to the US Trustee and insurers. This issue can be
11 addressed through a modest clarification of the text.

12 4. It could be concerning to claimants and subject to misinterpretation for the letter to
13 state that the addressee was identified by the Debtor as someone who may have a claim. The
14 Committee is distributing the letter, likely through plaintiff counsel, and not the Debtor. This
15 sentence should be deleted.

16 WHEREFORE, Pacific respectfully requests that the Court direct the Committee to adopt
17 the modest modifications indicated in the blacklined attached hereto as Exhibit A, a clean form of
18 which is attached as Exhibit B hereto, in the appropriate final order entered in these Chapter 11
19 proceedings.

1 Dated: July 21, 2023

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3 Respectfully Submitted,

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6 /s/ Karen Rinehart
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